IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

FENDYA et al.

Group Art Unit: 1723

Application No. 09/890,355

Examiner: Krishnan S. Menon

Filed: June 18, 2002

For:

SEPARATION DEVICES AND

The Information Disclosure Statement is being filed:

PROCESSES

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents U.S. Patent and Trademark Office Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22314

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner initial the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

within any one of the following time periods: (a) within three months of the fili	ing
late of a national application other than a continued prosecution application und	

In re Appln. of FENDYA et al. Application No. 09/890,355

	37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.						
☒	after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes <i>one</i> of:						
		the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).					
	\boxtimes	the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).					
	and or	he mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance 37 CFR 1.311, or an action that otherwise closes prosecution in the application, n or before payment of the issue fee, and includes the Statement under R 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as th in 37 CFR 1.17(p) (see "Fees" below).					
	after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180 as set forth in 37 CFR 1.17(p) (see "Fees" below). NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.						
Copies	s of the	References					
	Copies	s of the references listed on the enclosed Form 1449 are enclosed herewith.					
\boxtimes	Form	s of U.S. patents and patent applications that are listed on the accompanying 1449 are not enclosed herewith. Copies of other references identified on the panying Form 1449 are enclosed herewith.					
	concise Englishaction	ch reference not in the English language, attached is an English translation, a e explanation of relevance, an English-language equivalent/patent, an h-language abstract, or an English-language version of the search report or by a foreign patent office in a counterpart foreign application indicating the of relevance found by the foreign office pursuant to 37 CFR 1.98(a)(3).					
\boxtimes	A copy	y of the foreign search report is enclosed herewith.					
		eferences listed on the enclosed Form 1449 were previously identified in the application(s) of the present application, and copies of the references were					

In re Appln. of FENDYA et al. Application No. 09/890,355

furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLI	CATIONS	Status (check one)				
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED		
1.						
2.						
3.						

3.					
I	ment under 37 CFR	1.97(e)	<u> </u>		
	Information Disclo	hereby states that each sure Statement was five in a counterpart foreifiling of the Information	rst cited in a gn patent appl	ny commun lication not r	ication from a
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State	ment under 37 CFR	1.704(d)			
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Fees	and Method of Payr	nent of Fees			
	No fee is owed by the Charge Deposit A 1.17(p).	he applicant(s). ccount No. 12-1216 in	the amount	of \$180.00	under 37 CFR

In re Appln. of FENDYA et al. Application No. 09/890,355

Authorization to Charge Additional Fees

If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216.

Instructions as to Overpayment

Credit Account No. 12-1216.
Refund

Respectfully submitted,

stephanie M. Lawley

Stephanie M. Lawley, Reg. ©o. 55362 LEYDIG, VOIT & MAYER 700 Thirteenth Street, N.W., Suite 300 Washington, DC 20005-3960 (202) 737-6770 (telephone) (202) 737-6776 (facsimile)

Date: March 8,2007

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Substitute for form 1449A/B/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) of 1

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Complete if Known					
Application Number	09/890,355				
Filing Date	June 18, 2002				
First Named Inventor	FENDYA et al.				
Group Art Unit	1723				
Examiner Name	Krishnan S. Menon				
Attorney Docket Number	440490				

	U.S. PATENT DOCUMENTS							
Examiner	Doc. No.	U.S. Patent Docur Application or	Kind	Name of Patentee or Applicant	Date of	Filing Date If		
Initials		Patent Number 3.266,223	Code	T. Dresser et al.	Publication 08/16/1966	Appropriate		
	A1 A2			Ward III et al.				
	A2 A3	3,925,037 3,993,816		Baudet et al.	12/09/1975 11/23/1976			
	A 3	4,083,780		Call				
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	A 5	4,105,547 4,252,651			08/08/1978			
	A6		_	Soderstrom	02/24/1981			
	A7	4,412,553	+	Kopp et al.	11/01/1983	ļ		
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	A16	4,895,806		Le et al.	01/23/1990			
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	A25	5,437,796		Brüschke et al.	08/01/1995			
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	A30	5,679,249		Fendya et al.	10/21/1997			
	A31	5,681,464		Larsson	10/28/1997			
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	A35	6,702,941		Haq et al.	03/09/2004			
						A Company		

Examiner Signature	Date Considered	

^{*} A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

+ An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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Substitute for form 1449A/B/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary) 2 of

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Group Art Unit	1723				
Examiner Name	Krishnan S. Menon				
Attorney Docket Number	440490				

			U.S.	PATENT DOCUMENTS		
		U.S. Patent Document				
Examiner Initials	Doc. No.	Application or Patent Number	Kind Code	Name of Patentee or Applicant	Date of Publication	Filing Date If Appropriate
		1.344				
			1			

Examiner Initials		F	oreign Patent Docume	nt			Trans	slation
	Doc. No.	Office	Application or Patent Number	Kind Code	Name of Patentee or Applicant	Date of Publication	Yes	No*+
	A36	DE	3927455		Klaus Kimmerle et al.	08/02/1990		X ⁺
	A37	DE	1792446		Dr. Josef Hoeltzenbein	04/29/1971		X ⁺
	A38	wo	97/13571		Pall Corporation	04/17/1997		
	A39	GB	1417973		Rud Frik Madsen	12/17/1975		
	A40	EP	0078659		Alfa-Lavalab	10/27/1982		
	A41	DE	3448391		Schmidt et al.	11/21/1991		X⁺
	A42	DE	4114611		Sartorius GMBH	11/14/1991		X ⁺

Examiner Initials	Doc. No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Translation	
			Yes	No*1
	A43	HAMMER et al., "Quantitative Flow Measurements in Bioreactors by Nuclear Magnetic Resonance Imaging", Biotechnology, Volume 8, Number 4, April 1990		
	A44	BELFORT et al., "The Behavior of Suspensions and Macromolecular Solutions in Crossflow Microfiltration", Journal of Membrane Science, 96 (1994) 1-58		

Examiner Signature	Li	Date Considered	

A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).